

PATENT  
Customer No. 22,852  
Attorney Docket No. 08513.7030-00000

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: )  
 )  
Ho et al. ) Group Art Unit: 1714  
 )  
Application No.: 09/743,621 ) Examiner: Edward J. Cain  
 )  
Filed: April 9, 2001 )  
 )  
For: OPTICAL DEVICES )  
 )

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**TRANSMITTAL**

Enclosed is the following:

- Information Disclosure Statement
- PTO Form 1449 with copies of cited references

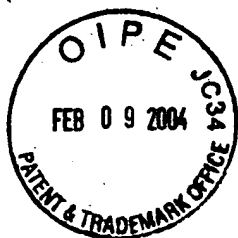
Please grant any extensions of time required to enter this response and charge  
any required fees to our deposit account 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,  
GARRETT & DUNNER, L.L.P.

Dated: Feb 6, 2004

By: Therese A. Hendricks  
Therese A. Hendricks  
Reg. No. 30,389



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Sir:

**INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(c)**

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(c), applicant brings to the attention of the Examiner the documents listed on the attached PTO 1449. This Information Disclosure Statement is being filed after the events recited in Section 1.97(b) but, to the undersigned's knowledge, before the mailing date of either a Final action, Quayle action, or a Notice of Allowance. Under the provisions of 37 C.F.R. § 1.97(c), this Information Disclosure Statement includes a certification as specified by Section 1.97(e).

Certification: Each document listed in this Information Disclosure Statement was first cited in a communication from the Japanese Patent Office (mailed 18 Nov. 2003) in

a counterpart foreign application, and this Information Disclosure Statement is being filed within three months of the mailing date of that communication.

Copies are enclosed of the Japanese office action and English translation thereof; references cited in Japanese office action and designated English language counterpart patent, abstract or partial translation as designated on the Form 1449..

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the listed documents are material or constitute "prior art." If the Examiner applies any of the documents as prior art against any claims in the application and applicant determines that the cited documents do not constitute "prior art" under United States law, applicant reserves the right to present to the office the relevant facts and law regarding the appropriate status of such documents.

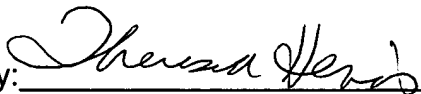
Applicant further reserves the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

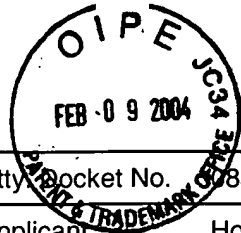
If there is any fee due in connection with the filing of this Statement, please charge the fee to our Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,  
GARRETT & DUNNER, L.L.P.

Dated: *Feb 6, 2004*

By:   
Therese Hendricks  
Reg. No. 30,389



## INFORMATION DISCLOSURE CITATION

OMB No. 0651-0011

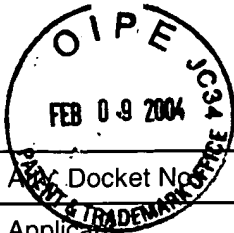
Atty. Docket No.	8513.7030	Appln. No.	09/743,621
Applicant	Ho et al.		
Filing Date	April 9, 2001	Group:	1714

## U.S. PATENT DOCUMENTS

Examiner Initial*	Document Number	Issue Date	Name	Class	Sub Class	Filing Date If Appropriate
	5,840,111	11/24/98	Wiederhofs	106	436	
	5,118,528	1/2/92	Fessi	427	213.36	
	5,298,262	3/29/94	Na	424	489	
	6,451,220	9/17/02	Ziolo	252	62.54	

## FOREIGN PATENT DOCUMENTS

Document Number	Publication Date	Country	Class	Sub Class	Translation Yes or No
9-165218	June 24, 1997	JP			English language counterpart U.S. 5,840,111
10-504758	May 12, 1998	JP			English language counterpart WO95/32061
5-287082	Feb. 11, 1993	JP			English language abstract and pertinent text (¶12)
63-240936	Oct. 6, 1998	JP			English language counterpart U.S. 5,118,528
6-111727	Apr. 22, 1994	JP			English language abstract
6-227967	Aug. 16, 1994	JP			English language counterpart U.S. 5,298,262
10-208236	Aug. 7, 1998	JP			English language counterpart U.S. 6,451,220
2000-503767	Mar. 28, 2000	JP			English language counterpart WO 97/25379
WO 95/32061	Nov. 30, 1995	PCT			
WO 97/25379	July 17, 1997	PCT			



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Filing Date	April 9, 2001	Group:	1714

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)	
	Copy of office action from Japanese Patent Office mailed November 18, 2003 with English language translation.

Examiner	Date Considered
*Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.	
Form PTO 1449	Patent and Trademark Office - U.S. Department of Commerce